

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

MATTHEW LANGLEY, an individual,

Plaintiff,

V.

**UNITED STATES OF
AMERICA,**

Defendant.

CASE NO.: 25-229

COMPLAINT

The Plaintiff, Matthew Langley, an adult resident citizen of the state of Alabama, complaining of the Defendant, the United States of America (and all other entities/arms/extension/divisions of the United States of America as identified below/herein, including the United States Postal Service), alleges as follows:

PARTIES

1. Plaintiff Matthew Langley is a citizen and resident of Elmore County, Alabama.
2. Defendant, United States of America, acting by and through the United States Postal Service, employed the postal worker who negligently struck and injured Mr. Langley.

JURISDICTION AND VENUE

3. This action arises under the Federal Tort Claims Act, 28 U.S.C. § 2671 et seq. This Court is vested with jurisdiction pursuant to 28 U.S.C. § 1346(b) for the reason(s) that the Plaintiff's damages are for personal injury which was proximately caused by the negligent and wrongful acts and omissions of employees of the federal government while acting within the scope of their office and employment.

4. The United States Postal Service is a federal agency of the United States pursuant to 28 U.S.C. §2671.

5. Venue is proper in this Honorable Court pursuant to 28 U.S.C. § 1402 and 28 U.S.C. § 2671, *et seq.*

6. On or about August 29, 2023, the Plaintiff's claim, in proper form and content and in accordance with federal law, was mailed to the applicable government agencies within two years after his claim accrued (May 23, 2023), in compliance with 28 U.S.C. § 2675(a). The claim was received by the applicable governmental agencies on or about September 5 and 6, 2023.

7. On January 9, 2024, Lisa Johnenkins, Tort Claim/Collections Specialist, also confirmed forwarding of the file to the USPS National Tort Center for handling.

8. While the undersigned has communicated with and attempted to settle this claim with a representative of the USPS National Tort Center, the parties have been unable to reach a mutually agreeable resolution.

9. The Postal Service has failed to make a final disposition of the Plaintiff's claim(s) within six (6) months after the claim was received. Pursuant to 28 U.S.C. § 2675(a), Plaintiff now files this action in the United States District Court.

FACTUAL ALLEGATIONS

10. The cause(s) of action upon which this case is based occurred within Autauga County, Alabama, which is within the Northern Division of the Middle District of Alabama. Thus, venue is properly laid in this Court.

11. At all times material to this Complaint, the Defendant, the United States of America, acting by and through the United States Postal Service, operated post offices, and conducted mail and parcel delivery services in Autauga County, Alabama.

12. In addition, and at all times material to this Complaint, defendant United States of America, through the United States Postal Service, employed Christopher Sean Lind.

13. On May 23, 2023, the Plaintiff, Mr. Matthew Langley, was driving on East Main Street when Mr. Lind, who was in a postal vehicle delivering mail, failed to yield the right-of-way while attempting to cross East Main Street and struck Mr. Langley's automobile, injuring him.

14. As a result of this collision, Mr. Langley sustained injuries to his hip and back. He was treated for his injuries at Prattville Baptist Hospital.

15. Defendant, the United States of America, is liable for personal injury caused by the negligent or wrongful acts and omissions of any deemed employee of the federal government while acting within the scope of their office or employment pursuant to the Federal Tort Claims Act, 28 U.S.C.A. §§ 1346(b) and 2671 et seq., to the extent the Federal Tort Claims Act constitutes a waiver by defendant United States of America of the federal government's immunity from liability in tort.

16. The incident made the basis of this lawsuit was caused by the negligence and/or carelessness of the Defendant, The United States of America, and was not due in any way to any act or failure to act on the part of the Plaintiff, Mr. Matthew Langley.

COUNT I
NEGLIGENCE

17. Plaintiff incorporates by reference all the allegations set forth in the preceding paragraphs, and further avers as follows:

18. By colliding with Mr. Langley's vehicle, Mr. Lind and Defendant United States of America acted in contravention of the established rules of the road, and in violation of care applicable of that of the ordinary person under the same or similar circumstances.

19. The crash was directly and proximately caused by the negligence of the United States of America and its agent and/or employee, Lind.

20. As a direct and proximate result of the above-described negligence of the Defendant, the United States of America, acting by and through the United States Postal Service, Matthew Langley was caused to suffer and endure physical and emotional pain and injuries, as well as monetary and other damages, in an amount to be proven at trial.

WHEREFORE, Plaintiff prays this Honorable Court issue judgement against the Defendant and in favor of the Plaintiff, and to award damages for all losses suffered by the Plaintiff including but not limited to: (a) extensive physical injuries to his person; (b) pain and suffering; (c) loss of enjoyment of life; (d) emotional distress; (e) medical bills past and future; (f) permanent impairment and disfigurement; and (g) other economic and non-economic damages not yet fully

determined. Plaintiff would also seek pre-judgment and post-judgment interest costs, attorney fees as allowed by law, and such other and further relief as this Honorable Court deems just and proper. Plaintiff further hereby demands a trial on all issues so triable.

Dated: *March 24, 2025*

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Booth Samuels", is positioned above a horizontal line.

BOOTH SAMUELS
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**PLEASE SERVE THE DEFENDANTS BY CERTIFIED MAIL AS
FOLLOWS:**

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The Honorable Louis DeJoy
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